



Rep. Robyn Gabel

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09600SB3712ham002

LRB096 19949 CEL 43764 a

1 AMENDMENT TO SENATE BILL 3712

2 AMENDMENT NO. _____. Amend Senate Bill 3712, AS AMENDED,
3 with reference to page and line numbers of House Amendment No.
4 1, as follows:

5 on page 3, by replacing lines 16 and 17 with the following:

6 "Section 20. Unlicensed practice. Beginning July 1, 2012,
7 no person may practice, attempt"

8 on page 25, by replacing lines 8 through 11 with the following:

9 "(f) Four Board members shall constitute a quorum. A quorum
10 is required to perform all of the duties of the Board."; and

11 on page 27, line 21, by replacing "August 31, 2010" with
12 "September 30, 2012"; and

13 on page 49, by deleting lines 13 through 18; and

1 by replacing page 49, line 21 through page 50, line 4 with the
2 following:

3 "Section 900. The Regulatory Sunset Act is amended by
4 changing Section 4.31 as follows:

5 (5 ILCS 80/4.31)

6 Sec. 4.31. Acts ~~Act~~ repealed on January 1, 2021. The
7 following Acts are ~~Act is~~ repealed on January 1, 2021:

8 The Crematory Regulation Act.

9 The Cemetery Oversight Act.

10 The Home Birth Safety Act.

11 The Illinois Health Information Exchange and Technology
12 Act.

13 The Radiation Protection Act of 1990.

14 (Source: P.A. 96-1041, eff. 7-14-10; 96-1331, eff. 7-27-10;
15 incorporates P.A. 96-863, eff. 3-1-10; revised 9-9-10.)"; and

16 by replacing page 51, line 7 through page 55, line 9 with the
17 following:

18 "Section 910. The Nurse Practice Act is amended by changing
19 Section 50-15 as follows:

20 (225 ILCS 65/50-15) (was 225 ILCS 65/5-15)

21 (Section scheduled to be repealed on January 1, 2018)

1 Sec. 50-15. Policy; application of Act.

2 (a) For the protection of life and the promotion of health,
3 and the prevention of illness and communicable diseases, any
4 person practicing or offering to practice advanced,
5 professional, or practical nursing in Illinois shall submit
6 evidence that he or she is qualified to practice, and shall be
7 licensed as provided under this Act. No person shall practice
8 or offer to practice advanced, professional, or practical
9 nursing in Illinois or use any title, sign, card or device to
10 indicate that such a person is practicing professional or
11 practical nursing unless such person has been licensed under
12 the provisions of this Act.

13 (b) This Act does not prohibit the following:

14 (1) The practice of nursing in Federal employment in
15 the discharge of the employee's duties by a person who is
16 employed by the United States government or any bureau,
17 division or agency thereof and is a legally qualified and
18 licensed nurse of another state or territory and not in
19 conflict with Sections 50-50, 55-10, 60-10, and 70-5 of
20 this Act.

21 (2) Nursing that is included in the program of study by
22 students enrolled in programs of nursing or in current
23 nurse practice update courses approved by the Department.

24 (3) The furnishing of nursing assistance in an
25 emergency.

26 (4) The practice of nursing by a nurse who holds an

1 active license in another state when providing services to
2 patients in Illinois during a bonafide emergency or in
3 immediate preparation for or during interstate transit.

4 (5) The incidental care of the sick by members of the
5 family, domestic servants or housekeepers, or care of the
6 sick where treatment is by prayer or spiritual means.

7 (6) Persons from being employed as unlicensed
8 assistive personnel in private homes, long term care
9 facilities, nurseries, hospitals or other institutions.

10 (7) The practice of practical nursing by one who is a
11 licensed practical nurse under the laws of another U.S.
12 jurisdiction and has applied in writing to the Department,
13 in form and substance satisfactory to the Department, for a
14 license as a licensed practical nurse and who is qualified
15 to receive such license under this Act, until (i) the
16 expiration of 6 months after the filing of such written
17 application, (ii) the withdrawal of such application, or
18 (iii) the denial of such application by the Department.

19 (8) The practice of advanced practice nursing by one
20 who is an advanced practice nurse under the laws of another
21 state, territory of the United States, or country and has
22 applied in writing to the Department, in form and substance
23 satisfactory to the Department, for a license as an
24 advanced practice nurse and who is qualified to receive
25 such license under this Act, until (i) the expiration of 6
26 months after the filing of such written application, (ii)

1 the withdrawal of such application, or (iii) the denial of
2 such application by the Department.

3 (9) The practice of professional nursing by one who is
4 a registered professional nurse under the laws of another
5 state, territory of the United States or country and has
6 applied in writing to the Department, in form and substance
7 satisfactory to the Department, for a license as a
8 registered professional nurse and who is qualified to
9 receive such license under Section 55-10, until (1) the
10 expiration of 6 months after the filing of such written
11 application, (2) the withdrawal of such application, or (3)
12 the denial of such application by the Department.

13 (10) The practice of professional nursing that is
14 included in a program of study by one who is a registered
15 professional nurse under the laws of another state or
16 territory of the United States or foreign country,
17 territory or province and who is enrolled in a graduate
18 nursing education program or a program for the completion
19 of a baccalaureate nursing degree in this State, which
20 includes clinical supervision by faculty as determined by
21 the educational institution offering the program and the
22 health care organization where the practice of nursing
23 occurs.

24 (11) Any person licensed in this State under any other
25 Act from engaging in the practice for which she or he is
26 licensed, including, without limitation, any person

1 engaged in the practice of midwifery who is licensed under
2 the Home Birth Safety Act.

3 (12) Delegation to authorized direct care staff
4 trained under Section 15.4 of the Mental Health and
5 Developmental Disabilities Administrative Act consistent
6 with the policies of the Department.

7 (13) The practice, services, or activities of persons
8 practicing the specified occupations set forth in
9 subsection (a) of, and pursuant to a licensing exemption
10 granted in subsection (b) or (d) of, Section 2105-350 of
11 the Department of Professional Regulation Law of the Civil
12 Administrative Code of Illinois, but only for so long as
13 the 2016 Olympic and Paralympic Games Professional
14 Licensure Exemption Law is operable.

15 (14) County correctional personnel from delivering
16 prepackaged medication for self-administration to an
17 individual detainee in a correctional facility.

18 Nothing in this Act shall be construed to limit the
19 delegation of tasks or duties by a physician, dentist, or
20 podiatrist to a licensed practical nurse, a registered
21 professional nurse, or other persons.

22 (Source: P.A. 95-639, eff. 10-5-07; 95-876, eff. 8-21-08; 96-7,
23 eff. 4-3-09; 96-516, eff. 8-14-09; 96-1000, eff. 7-2-10.)

24 Section 999. Effective date. This Act takes effect July 1,
25 2011."